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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LISA BELYEW,
Plaintiff,
v.
HONEA, et al.,
Defendants.

No. 2:17-cv-1189 CKD P

ORDER

Plaintiff is a Butte County Jail prisoner proceeding pro se with a civil action against Butte County Jail officials. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff requests leave to proceed in forma pauperis. Since plaintiff has submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a), her request will be granted. Plaintiff is required to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. §§ 1914(a), 1915(b)(1). By separate order, the court directed the Butte County Jail to collect the initial partial filing fee from plaintiff's trust account and to forward it to the Clerk of the Court. Plaintiff will be obligated for monthly payments of twenty percent of the preceding month's income credited to plaintiff's prison trust account. These payments will be forwarded by the Butte County Jail to the Clerk of the Court each time the amount in plaintiff's account exceeds \$10.00, until the filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

1 The court is required to screen complaints brought by prisoners seeking relief against a
2 governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). The
3 court has reviewed plaintiff's complaint and determined that it is not signed as required by Rule
4 11 of the Federal Rules of Civil Procedure. Accordingly, the complaint will be dismissed with
5 leave to file an amended complaint which is signed.

6 The court also notes that plaintiff's complaint violates federal rules regarding joinder of
7 claims. As a general rule, plaintiff may join in a complaint all actionable claims against any
8 particular defendant. Fed. R. Civ. P. 18(a). Other defendants may be joined in those claims, but a
9 plaintiff cannot include claims against other defendants which have no relation to the claims
10 brought against the first defendant. See Fed. R. Civ. P. 20.

11 Plaintiff is advised generally that if plaintiff chooses to file an amended complaint, she must
12 demonstrate how the conditions complained of have resulted in a deprivation of plaintiff's
13 constitutional rights. See Ellis v. Cassidy, 625 F.2d 227 (9th Cir. 1980). Also, plaintiff must
14 allege in specific terms how each named defendant is involved. There can be no liability under
15 42 U.S.C. § 1983 unless there is some affirmative link or connection between a defendant's
16 actions and the claimed deprivation. Rizzo v. Goode, 423 U.S. 362 (1976). Furthermore, vague
17 and conclusory allegations of official participation in civil rights violations are not sufficient.
18 Ivey v. Board of Regents, 673 F.2d 266, 268 (9th Cir. 1982).

19 Finally, plaintiff is informed that the court cannot refer to a prior pleading in order to
20 make plaintiff's amended complaint complete. Local Rule 220 requires that an amended
21 complaint be complete in itself without reference to any prior pleading. This is because, as a
22 general rule, an amended complaint supersedes the original complaint. See Loux v. Rhay, 375
23 F.2d 55, 57 (9th Cir. 1967). Once plaintiff files an amended complaint, the original pleading no
24 longer serves any function in the case. Therefore, in an amended complaint, as in an original
25 complaint, each claim and the involvement of each defendant must be sufficiently alleged.

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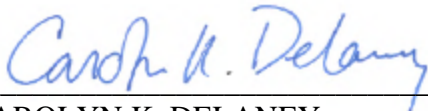
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In accordance with the above, IT IS HEREBY ORDERED that:

1. Plaintiff's request for leave to proceed in forma pauperis (ECF No 6) is granted.
2. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. All fees shall be collected and paid in accordance with this court's order to Butte County Sheriff.
3. Plaintiff's complaint is dismissed.
4. Plaintiff is granted thirty days from the date of service of this order to file an amended complaint that complies with the requirements of this order, the Civil Rights Act, the Federal Rules of Civil Procedure, and the Local Rules of Practice. The amended complaint must bear the docket number assigned this case and must be labeled "Amended Complaint." Failure to file an amended complaint in accordance with this order will result in a recommendation that this action be dismissed.

Dated: September 1, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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